

accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1).

Based on his review of the record, the Magistrate Judge has recommended that Plaintiff's motion to be allowed to amend her complaint be **denied**, that Defendant's motion to dismiss be **granted**, and that this case be **dismissed**, with prejudice, on the grounds of *res judicata* claim preclusion. The court advised the parties of their right to file objections to the Report and Recommendation and the serious consequences of a failure to do so. Plaintiff has filed objections.

Based on a *de novo* review of the record, the complaint, the motions and responses, the applicable law, the Report and Recommendation of the Magistrate Judge, and the objections, the court finds that the Report and Recommendation of the Magistrate Judge has correctly concluded the Plaintiff's claims are barred by *res judicata*. The Report and Recommendation, therefore, is adopted and incorporated by reference.

IT IS HEREBY ORDERED that Plaintiff's motion to be allowed to amend her complaint is **DENIED**, and it is

FURTHER ORDERED that Defendant's motion to dismiss is **GRANTED** and this case is *dismissed, with prejudice*, on the grounds of *res judicata* claim preclusion.

IT IS SO ORDERED.

s/ Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
November 21, 2005